

REMARKS**Status of Claims**

Claims 1-28 and 43-65 are pending in this case.

Claims 5, 17-18, 25, and 42 have been cancelled without prejudice.

Claims 2, 3, 8, 12, 13, and 16 have been amended for reasons not related to patentability.

Claims 43-65 have been added.

Claims 1-4, 6-16, 21

Applicant has amended claim 1 to incorporate the limitations of claim 5. Thus, claim 1 is allowable as indicated by the Patent Office (PTO) on page 3 of the Office Action mailed on March 3, 2005. Claims 2-4, 6-16, and 21 depend either directly or indirectly from claim 1, and thus these claims are allowable.

Claims 19, 43-46

Claim 19 has been amended to be put into independent form and includes the limitations of claims 1, 17, and 18, and thus is allowable as indicated by the PTO on page 3 of the Office Action mailed on March 3, 2005. New claims 43-46 have been added that depend from claim 19 either directly or indirectly, and thus these claims are allowable.

Claims 20, 47-50

Claim 20 has been amended to be put into independent form and includes the limitations of claims 1, 17, and 18, and to specifically state that the submersible turbine pump is located outside the housing of the fuel dispenser.

The PTO rejected claim 20 by stating that U.S. Patent No. 6,311,547 to Nitecki (hereinafter "Nitecki") disclosed the limitation of claim 20. However, the pump in Nitecki (element 10 in Figure 1) is self-contained inside the housing of the fuel dispenser. Thus, Nitecki does not anticipate claim 20. New claims 47-50 have been added that depend from claim 20 either directly or indirectly, and thus these claims are allowable.

BEST AVAILABLE COPY

BEST AVAILABLE COPY**Claims 22-24, 51-53**

Claim 22 has been amended to be put into independent form and includes the limitations of claim 1, and thus is allowable as indicated by the PTO on page 3 of the Office Action mailed on March 3, 2005. Claims 23 and 24, and new claims 51-53 have been added that depend from claim 22 either directly or indirectly, and thus these claims are allowable.

Claims 26-28, 54-56

Claim 26 has been amended to be put into independent form and includes the limitations of claims 1 and 25, and thus is allowable as indicated by the PTO on page 3 of the Office Action mailed on March 3, 2005. Claims 27-28, and new claims 54-56 have been added that depend from claim 26 either directly or indirectly, and thus these claims are allowable.

Claims 57-65

New claims 57-65 have been added. Independent claim 57 requires that the control system determine a rate of increase of the liquid level in the leak collection chamber, which is not disclosed or taught or suggested by the prior art. Nitecki discloses detecting an absolute level of hydrocarbons, but not a leak rate. (Nitecki, col. 3, ll. 27-30). Only the flow rate of the fuel dispensed, not the leaked fuel, is detected. (Nitecki, col. 4, ll. 14-24). Thus, claim 57 and its dependent claims 58-65 are allowable.

CERTIFICATE OF TRANSMISSION I HEREBY CERTIFY THAT THIS DOCUMENT IS BEING TRANSMITTED VIA FACSIMILE ON THE DATE INDICATED BELOW TO:
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Respectfully submitted,

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